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24.11.2023
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Ct 14

WPA 25829 of 2023

Bharat Jakat Majhi Pargana Mahal
-vs-
State of West Bengal & ors..

Mr. Arunava Ganguly
....for the petitioner
Mr. Atis Kr. Biswas
Mr. Suman Chakraborty
...for the private respondents
Mr. Tapan Kumar Mukherjee
Ms. Sangeeta Roy
Mr. Somnath Naskar
...for the State

Report filed on behalf of the State is taken on record.

This is filed in pursuance of an order dated 01.11.2023 passed by the Co-ordinate of this Court in WPA 25829 of 2023.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a registered society dealing with the rights of tribal. The private respondents are misusing their name and collecting money. They made a representation before the police, but no FIR was registered or investigation done.

Learned counsel appearing on behalf of the private respondents submits as follows. The allegations made in the writ petition are denied. The Bharat Jakat Majhi Pargana Mahal is an ancient organization of the tribals. No society could have been registered under the Societies Registration

Act. However, by practicing fraud, the person who is representing the said entity in this writ petition had the same registered in such name. The private respondents shall take appropriate steps in this regard for cancellation of such registration. In fact, the said individual was sacked from the society in its meeting held earlier. The private respondents are, in fact, portfolio holders of the ancient organization.

Learned counsel for the State relies on the report and submits as follows. The question of holding a meeting under the banner of Bharat Jakat Majhi Pargana Mahal came up on the last occasion. However, no permission was required to be given as no such meeting was held. In fact, a meeting was held under the banner of one The Majhi Pargana Development Trust.

Therefore, it appears that the problem regarding holding of the meeting has been resolved.

The private parties shall be at liberty to take steps regarding their respective grievances, the petitioner's grievance being that someone is collecting money in their name and the grievance of the private respondents being that the representative of the petitioner in this writ petition has no right to represent the said entity. Let the parties ventilate their grievances before the appropriate forum.

In this case, there is no admitted fact for adjudicating on merits about whether to grant relief in this writ petition.

Accordingly, the writ petition is disposed of without any further order and without any costs.

Since affidavits were not called for, allegations made are deemed not to have been admitted.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)